

REMARKS

Claims 23-41 are currently amended. Claims 42-44 are canceled. Applicant respectfully submits that the amendments contained herein are fully supported by the specification as originally filed and do not contain new matter. The Attorney Docket Number has been changed from 118.023US01 to 242.002US01.

Specification

The abstract is provided on a separate sheet as required by the Examiner.

Claim Objections

Claim 26 was objected to because of informalities. Claim 26 is amended to overcome the objection thereto.

Claim Rejections Under 35 U.S.C. § 112

The claims were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully submits that claims 23-41, as currently amended, overcome the rejections thereof under 35 U.S.C. § 112, second paragraph, and should be allowed. Claims 42-44 are canceled, mooting the rejections thereof.

Rejections Under U.S.C. § 102

Claims 23-39 and 42-44 were rejected under 35 U.S.C. § 102(b) as being anticipated by Myers (U.S. Patent No. 5,474,633). Applicant respectfully traverses.

Claim 23, as currently amended, recites that the mobile pressing member in opposition to the fixed member is apt to move according to a bidirectional translational motion with respect to a guide for the pressing member, where the guide is connected to the handle so that the bidirectional translational motion of the mobile pressing member is with respect to the handle.

The Examiner has taken upper platen 12 and a lower platen 14 of Myers as respectively corresponding to the mobile pressing member and the fixed member of 23. However, upper platen 12 executes a rotational motion as it pivots about pivot mechanism 20 (FIGS. 1-8) or 22

(FIGS. 9-12). However, translational motion is different from rotational motion in that translational motion is a straight motion. Moreover, the Examiner has taken a handle 78 of Myers as corresponding to the handle of claim 23. However, handle 78 is rigidly connected to upper platen 12 and thus moves with upper platen 12 (Figure 1), not relative to handle 78, as required by claim 23. Therefore, Myers does not include each and every recitation of claim 23, so claim 23 is allowable.

Claims 23-39 depend from claim 23 and are thus allowable for at least the same reasons as claim 23. Claims 42-44 are canceled, mooted the rejection thereof.

Allowable Subject Matter

Claims 40 and 41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant has not amended claims 40 and 41. Claims 40 and 41 depend from claim 23 and is thus allowable for at least the same reasons as claim 23.

RESPONSE TO NON-FINAL OFFICE ACTION

Serial No. 10/502,508

Title: HAIR EXTENSION APPLICATOR

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Attorney Docket No. 242.002US01

CONCLUSION

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No. 501373.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2208.

Respectfully submitted,

Date: 05-21-07

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